

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Health Medical & Family Welfare Department – Dr. M. Raja Mohan Rao, former Civil Surgeon-RMO, Area Hospital, Miryalaguda and retired District Medical & Health Officer, Nalgonda district – Departmental proceedings under rule 20 of APCS (CC&A) Rules, 1991 – Initiated – Charges held proved – Penalty of withholding 10% pension for a period of three years – Awarded – Orders – Issued.

HEALTH MEDICAL & FAMILY WELFARE (VC.I) DEPARTMENT

G.O. Ms. No. 319

Dated: 20-11-2010

Read the following:-

- 1) From the Director General, ACB, Letter No. 108/DES-HND/2003, Dated 31.1.2004
- 2) G.O. Rt. No. 753, Health Medical & Family Welfare (VC.I) Department, dated 28.08.2004.
- 3) Explanation of Dr. M. Rajamohan Rao, CS-RMO, Area Hospital, Miryalaguda, dated 15.03.2005.
- 4) Memo. No. 24069/VC.I(2)/2003-4, Health Medical & Family Welfare Department, dated 24.06.2006.
- 5) From the Inquiring Authority, Inquiry Report, dt. 02.04.2009.
- 6) Memo. No. 24069/VC.I(2)/2003, Health Medical & Family Welfare (VC.I) Department, dated 11.05.2009.
- 7) Explanation of Dr. M. Rajamohan Rao, formerly CS-RMO, Area Hospital, Miryalaguda, dated 26.06.2009.
- 8) Memo. No. 24069/VC.I(2)/2003, Health Medical & Family Welfare (VC.I) Department, dated 06.09.2010.
- 9) Explanation of Dr. M. Rajamohan Rao, DM & HO (Retired), Nalgonda, dated 13.09.2010.
- 10) Govt. Letter No. 24069/VC.I(2)/2003, Health Medical & Family Welfare (VC.I) Department, dated 05.10.2010.
- 11) From the Secretary, Andhra Pradesh Public Service Commission, Letter No. 1455/RT-I/1/2010, dt. 02.11.2010.

O R D E R:

On credible information that the Duty Doctors of Area Hospital, A.P.V.V.P., Miryalaguda, Nalgonda district were practicing in private clinics / hospitals during duty hours and that the office staff of the said hospital were not regularly attending their duties, a surprise check was conducted by the Anti-Corruption Bureau officials on 21.10.2003 at 12.30 hours, in the presence of mediators. A report in the reference first read above, was submitted by the Anti-Corruption Bureau to the Government, recommending departmental action against the erring staff.

2. Government have accepted the recommendations of the Director General, A.C.B. and departmental action has been initiated, among others, against Dr. M. Rajamohan Rao, Civil Surgeon-R.M.O., Area Hospital, Miryalaguda, vide G.O. second read above. The following article of charge was

(p.t.o.)

framed against him:-

"That Dr. M. Raja Mohan Rao, s/o Somaiah, joined Government service on 06.11.1975 as Civil Assistant Surgeon, while functioning as Civil Surgeon, RMO, Area Hospital, Miryalaguda, Nalgonda district during the period between 11.10.2003 to till date, has committed grave misconduct in as much as he has signed in the Attendance Register on 21.10.2003 but found absent at 12.30 hours when the ACB officials surprised the Area Hospital, Miryalaguda and failed to maintain absolute integrity in violation of APCS (Conduct) Rules, 1964.

Thus, Dr. M Raja Mohan Rao, Civil Surgeon, RMO by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 3 (1) & (2) of APCS (Conduct) Rules, 1964".

3. In the reference third read above, the Charged Officer has submitted his explanation denying charge and stated that at the time of surprise check he was in sanitary rounds. The explanation of Dr. M. Raja Mohan Rao, Civil Surgeon, RMO was not considered as convincing based on the material evidence and the Government decided to conduct a regular inquiry into the articles of charge against all Charged Officers involved in this case. Accordingly, in the reference fourth read above, Smt. Chandana Khan, IAS, Commissioner of Inquiries was appointed as Inquiring Authority to conduct regular inquiry. The Inquiring Authority has conducted the inquiry and submitted report, vide reference fifth read above, holding that charge was sustained against Dr. M. Raja Mohan Rao, Civil Surgeon, RMO.

4. The findings of the Inquiring Authority have been examined carefully by the Government and were accepted. In the reference sixth read above, while forwarding a copy of the Inquiry Report, Dr. M. Raja Mohan Rao, Civil Surgeon, RMO was requested to submit his representation, if any, against the findings of the I.A. In the reference seventh read above, the Accused Officer has submitted his explanation, which was a repeat of the explanation submitted to the articles of charge and no new reason was mentioned. In the meanwhile, Dr. M. Raja Mohan Rao has retired from service as D M & H O, Nalgonda. Therefore, Government have provisionally decided to impose a penalty of withholding 10% of pension due to him for a period of three years. A show cause notice was issued to the Accused Officer, accordingly, for making representation, if any, against the proposed penalty. In the reference ninth read above, Dr. K. Raja Mohan Rao, DM & HO (Retd.) has submitted that Inquiry Officer has not given any opportunity for cross examination to elicit his presence in the hospital during duty hours and that he was in sanitary rounds at the time of surprise check by the ACB officials and they did not check the wards. He has requested to reduce the punishment for minor mistake treating it as his first mistake.

5. Government have examined the representation of the Accused Officer in the light of findings of the Inquiring Authority and observed that the contention of Dr. M. Rajamonan Rao is devoid of merits. Government have, therefore, decided to confirm the provisional decision taken to award the penalty of withholding of 10% pension for a period of three years against Dr. M. Raja Mohan Rao, formerly CS-RMO, Area Hospital, Miryalaguda and retired District Medical & Health Officer, Nalgonda. In the reference tenth read above, the Andhra Pradesh Public Service Commission was addressed for its concurrence

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of the provisional decision taken by the Government. In the reference eleventh read above, the Secretary, Andhra Pradesh Public Service Commission has stated that after careful examination of the disciplinary case in the light of the records made available, Commission agree with the proposal of the Government to impose the penalty of withholding 10% of pension for a period of three years against Dr. M. Rajamohan Rao, CS-RMO (Retd.), Area Hospital, Miryalaguda and advised accordingly.

6. Under rule 9 of the A.P. Revised Pension Rules, 1980, Government hereby award the penalty of withholding of 10% (ten percent) pension for a period of three years against Dr. M. Rajamohan Rao, Retired District Medical & Health Officer, Nalgonda.

7. The Director of Public Health, A.P. / Commissioner, A.P. Vaidya Vidhana Parishad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. P.V. RAMESH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Dr. M. Rajamohan Rao, DM & HO (Retd.),
Reddy Colony,
MIRYALAGUDA,
Nalgonda district
(by regd. Post with ack. due).
The Director of Public Health, A.P., Hyderabad.
The Commissioner, A.P. Vaidya Vidhana Parishad,
Hyderabad.
Copy to:
The Accountant-General, A.P., Hyderabad.
The Secretary, Andhra Pradesh Public Service Commission,
Nampally, Hyderabad.
The Director General, Anti-Corruption Bureau, Andhra Pradesh,
Hyderabad.
The Secretary to Vigilance Commission,
Andhra Pradesh Vigilance Commission, H-Block, Secretariat.
SF

//FORWARDED: BY ORDER//

SECTION OFFICER